SIKKIM

GOVERNMENT



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GOVERNMENT OF SIKKIM DEPARTMENT OF PERSONEL, ADMINISTRATIVE REFORMS, TRAINING, PUBLIC GRIEVANCES GANGTOK

NO. 208//GEN/DOP

Dated:23/8/2013

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of Constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

- Short title and commencement.-
 - (1) These rules may be called the Sikkim State Draughtsman, Planning Assistant and Planning Officer (Recruitment, Promotion and Seniority), Rules, 2013.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. **Definition:** In these rules, unless the context otherwise requires:-
 - (a) "appointed day" means the date on which the provisions of these rules come into force;
 - (b) "Commission" means the Sikkim Public Services Commission;
 - (c) "Government" means the State Government of Sikkim;
 - (d) "Cadre post" means any post whether permanent or temporary, specified in the Schedule.
 - (e) "Controlling Authority" means Government of Sikkim in the Department of Building and Housing;
 - (f) "DPC" means the Departmental Promotion Committee constituted by the Government from time to time;
 - (g) "member of service" means the person who is appointed to the service in accordance with the provision of these rules;
 - (h) "Schedule" means the Schedule appended to these rules;
 - (i) "service" means the Sikkim- State Draughtsman, Planning Assistant and Planning Officer service;
 - (j) "Year" means the financial year commencing on 1st day of April and ending on 31st day of March;

3. Constitution service,-

- (1) There shall be constituted a service to be known as the Sikkim State Draughtsman, Planning Assistant and Planning Officer service consisting of persons appointed to the service under the rule 6.
- (2) The authorized strength, composition of service, grades and scale of pay shall be as specified in the Schedule at its initial constitution and shall be as determined by the Governor from time to time.

4. Appointment and posting,-

- (1) All appointment to the posts in the service after the appointed day shall be made by the Governor of Sikkim by one of the methods herein below, specified.
- (2) No post in the service shall be filled otherwise than by a member. Any post in the service may be filled as temporary measures by a person other than a member if the Government is satisfied that there is no suitable member of the service available for filling the post for the time being.

5. Initial constitution of the service,-

All persons holding, on the appointed day, any duty post included in the service, otherwise than on a purely temporary arrangement or on contract shall be deemed to have been appointed to the corresponding post and grade in the service as specified in the Schedule:

Provided that any such person may within 60 (sixty) days of the date of notification exercises an option not to be so absorbed in the service and option once exercises shall be final:

Provided further, that failure to exercise option as aforesaid within specified period shall be construed as the exercise of option in favour of absorption in the service:

Provided also that any person holding on the appointed day, the post included in the service on deputation from other service of the State, who is a permanent or regular member of such services, may be deemed to have been absorbed in the service on the appointed day, subject to production of a certificate of consent for absorption in the service issued with concurrence of the Department of Building and Housing or by the parent department to which such person belonged, and also subject to first and second provisos to these rules.

6. Method of recruitment .-

- (1) Subject to the provision of rule 5, recruitment to the service shall, after the appointed day, be made by the following methods, namely:-
 - (a) direct recruitment by competitive examination to be held by the controlling authority;
 - (b) promotion in accordance with column (6) of the Schedule;
- (2) Promotion of vacancies to be filled in any year in accordance with clause(b) of sub rule (I) above shall be in accordance with Government order as deemed fit.

7. Disqualification for appointment on medical ground

No candidate shall be appointed to the service who after such medical examination as the Government may specify is not found to be physically and mentally fit and free from any mental and physical defect likely to interfere with the discharge of the duties to the post

8. Recruitment by promotion to the post of Planning Assistant

- (1) The Government shall for the purpose of promotion under clause (b) of sub-rule (1) of rule 6 prepare a list of names of persons in order of seniority who have on the first day of that year completed not less than 6 (six) years of continuous service under the Government in the post of Draughtsman.
- (2) The Government shall forward to the Commission the list of persons referred to in sub-rule (1) together with their ACRs and service records for the preceding 6 (six) years along with up to date, Annual Property Returns indicating the anticipated number of vacancies to be filled by promotion in course of the period of 12 months commencing from the date of preparation of the list.
- (3) The Commission shall prepare a final list of persons who are found suitable for promotion to the service on an overall assessment of their service records including annual confidential reports and interview based on written examination
- (4) The number of persons to be included in this list shall not exceed twice the number of vacancies to be filled by promotion.
- (5) The Commission shall forward the final list prepared under sub-rule(3)of these rules to the Government along with all the confidential rolls, service records and up to date property returns revised from the Government.
- (6) The list shall ordinarily be in force for a period of 12 (twelve) months from the date of the recommendations of the Commission.
- (7) Appointment of person included in the list of the service shall be made by the Government, in the order of merit in which the names of the persons appear in the list.
- (8) It shall not be ordinarily necessary to consult the Commission before such appointment is made unless during the period of 12 (twelve) months from the date of recommendation of the Commission there occurs deterioration in the work of the person in the opinion of the Government so as to render him unsuitable for appointment to the service.

9. Probation

Every person recruited to the service by competitive examination shall be appointed to the service on probation for a period of 2(two) years.

10. Discharge of a probationer

A probationer shall be liable to be discharged from the service or as the case may be reverted to his substantive post, if,-

- (a) he fails to pass in the departmental examination; or
- (b) he is found lacking in qualities of mind and character needed for the service or in the constructive outlook and human sympathy needed in the public generally; or
- (c) he fails to comply with any of the provision of these rules.

11. Confirmation

Where a probationer has completed his period of probation to the satisfaction of the Government he shall, subject to the other provision of these rules be confirmed in the service at the end of his period of probation.

12. Promotion to the post of Planning Officer and Senior Planning Officer.-

- (1) There shall be a Selection Committee for the purpose of the promotion of the member of the service consisting of the following namely:-
- a) Chairman, Sikkim Public Service Commission;
- b) Member, Sikkim Public Service commission;
- c) Secretary to the Government in the Department of Personnel, Adm. Reforms and Training;
- d) Secretary, Finance Department
- e) Secretary Building and Housing Department
- (2) The Chairman or where the Chairman is unable to attend, a member of the Commission shall preside over the meeting of the Committee. The absence of members, other than Chairman or member of the Commission, shall not invalidate the proceeding of the Commission if more than half the members of Committee had attended the meeting.
- (3) The Government shall from time to time prepare a list of names of the member of the service in order of seniority who have completed the prescribed length of service for promotion to next higher grade on the first month of that year.
- (4) The Government shall forward to the Gommission the list prepared under sub-rule (3) of these rules along with the confidential rolls and service records of the periods the member of the service has to complete the required number of years of service for promotion along with up to date Annual Property Returns indicating the anticipated vacancies to be filled by promotion in course of 12 (twelve) months commencing from the date of preparation of the list.
- (5) The Commission after satisfying themselves that the records and information complete in all respects have been received will convene a meeting of the Selection Committee. The Committee shall prepare a final list of officers who are found suitable for promotion on an overall relative assessment of their confidential reports and service records.
- (6) The Commission shall forward the list prepared under sub-rule (5) of these rules to the Government along with Annual Confidential Reports and Annual Property Returns received from the Government.
- (7) The number of persons to be included in the list shall not exceed twice the number of vacancies to be filled by promotion.
- (8) The list shall ordinarily be in force for a period of 12 (twelve) months from the date of recommendation of the Commission.
- (9) Promotion of persons included in the relevant higher grade shall be made by the Government in the order in which names of the member appear in the list.
- (10) It shall not be ordinarily necessary to consult the Commission before such appointments are made unless during the period of 12 (twelve) months from the date of recommendation of the Commission there occurs deterioration in the work of the member of the service which in the opinion of the Government is such as to render him unsuitable for promotion to the higher grade.

SCHEDULE (See sub-rule (2) of rule 3)

Composition Departmental Promotion Committee	As may be constituted by the Government by a separate notification	Sikkim Public Service Commission	÷	÷
Eligibility condition required for promotion	¥	Person in Grade III with 6 (six) years of regular Service	Person in Grade-II with 6 (six) years of regular service	Person in Grade-I with6 (six) years of regular service
Eligibility conditions for direct recruitment	Class X passed from a recognized Board and 2 (two years of training certificate from a recognized Institution	ΝΑ	NA	₹
Method of recruitment	100% by direct recruitment	100% by promotion	100% by Promotion	100% by promotion
Pay Scale	Rs. 5200-20200 GP- Rs. 3400	Rs. 9300-34800 GP- Rs. 3800	Rs.9300-34800 GP-Rs.5000	Rs. 15600-39100 GP-6200
Number of Post	æ	ŀ	I	1
Name of Post & Classification	Draughtsman Group- C	Planning Assistant Group C	Planning Officer Group B	Senior Planning Officer Group-A
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13. Seniority

- (1) The relative seniority of the members appointed to the service at the initial constitution shall be regulated by their seniority obtained in cases pending grade on the appointed day.
- (2) The persons deemed to have been appointed to the service under rule 5 shall rank senior to all those persons appointed under rule 6.
- (3) The inter- seniority of the person recruited to the service through competitive examination shall be determined by merit in which they were selected for appointment in the department.

14. Administrative Control

- (1) The control over the service including appointment; transfer and deputation shall vest with the Government in the Department of Personal, Adm. Reforms and Trainings on the recommendation of Cadre Controlling Authority.
- (2) The headquarters of a member of the service shall not be changed save with the concurrence of the Department of Personnel, Adm. Reforms and training both for the transfer and for the terms and conditions proposed or stipulated for such transfer.

15. Residuary matters

All other matters in relation to the service not specified or for which no provision has been made in these rules shall be regulated by rules and orders applicable to other officers of the Government of equivalent status.

16. interpretation

If any question arises as to interpretation of these rules, the decision of the Department of Personal, Administrative, Reforms and Trainings in consultation with Cadre Controlling Authority there on shall be final.

17. Power to relax

Where Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing, relax any of the provision of these rules with respect to any class or category of persons or cadre posts.

By order and in the name of the Governor

T. SHARMA
SPECIAL SECRETARY TO THE GOVERNMENT

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